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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,062	07/12/2001	Uday P. Nadkarni	P21,411-B USA	8050

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EXAMINER

COBY, FRANTZ

ART UNIT	PAPER NUMBER
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2161

DATE MAILED: 08/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/904,062	NADKARNI, UDAY P.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Frantz Coby	2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 21-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-34 and 36-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

This is in response to Applicants RCE (Request for Continuing Examination filed on June 19, 2006 in which claims 21-39 are presented for examination. Claims 1-20 are currently canceled.

**Status of Claims**

Claims 21-39 are pending; of which, claims 1 and 38 are independent claims. Claim 35 is objected to as being in improper form, claim 33 is rejected under 35 U.S.C. 112 second paragraph, claims 21-23 and 38 are rejected under 35 U.S.C. 102(b) and claims 24, 25, 26, 27-34, 36-37 and 39 are rejected under 35 U.S.C. 103(a).

***Claim Objections***

Claim 35 is objected to under 37 CFR 1.75(c) as being in improper form because claim 35 is depended on a canceled claim 10. See MPEP § 608.01(n). Accordingly, the claim 35 is not been further treated on the merits.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 33 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 33 recites the limitation "said resume service" in line 2. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 21-23 and 38 are rejected under 35 U.S.C. 102(b) as being anticipated by Parrish et al. U.S. Patent no. 5,416,694.

As per claims 21-22, Parrish et al. disclose "a method of exchanging employment information" by providing a computer-based data integration and management process for workforce planning, job placement and occupational readjustment (See Parrish et al. Title, Abstract; Col. 2, lines 48-61). In particular, Parrish et al. disclose the claimed feature of "configuring a search query by prompting a user to specify parameters in one or more predetermined fields" by providing a mechanism for query skill match determination (see Parrish et al. Figure 1, component 26; Col. 3, lines 33-37; Col. 4, lines 4-34). The Applicant should duly note that each data record of the resources database, in Parrish et al., is preferably comprised of data fields representing a training resource profile of pre-selected information (see Parrish et al. Col. 5, lines 39-49). Therefore, specifying parameters within two or more predetermined fields is inherent.

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Further, Parrish et al. disclose the claimed limitations of "searching a database using said search query containing said parameters in one or more predetermined fields" by running queries to obtain matching and conducting other queries or reports as desired (See Parrish et al. Col. 4, lines 46-47). Last, Parrish et al. disclose the claimed limitations of "outputting results of the search" through an output device (Figure 1, component 28; Col. 4, lines 4-15).

As per claim 23, most of the limitations of this claim have been noted in the rejection of claims 21-22. Applicant's attention is directed to claims 21-22 above. In addition, Parrish et al. disclose the claimed limitations of "wherein at least a portion of said predetermined fields are hierarchical" (See Parrish et al. Col. 5, line 63-Col. 6, line 6).

As per claim 38, all the limitations of this claim have been noted in the rejection of claims 21-22 above. It is therefore rejected as set forth above.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 24, 25, 26, 27-34, 36-37 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parrish et al. U.S. Patent no. 5,416,694 in view of Sobotka et al. U.S. Patent no. 5,197,004.

As per claims 24-25, most of the limitations of these claims have been noted in the rejection of claims 21-23. Applicant's attention is directed to the rejection of claims 21-23 above.

It is noted, however, Parrish et al. did not specifically detail the claimed limitations of "wherein said predetermined fields comprise a plurality of professions, a plurality of subcategories with each profession, and a time duration for each subcategory" as recited in the instant claim. On the other hand, Sobotka et al. achieved the aforementioned limitations by providing a method and apparatus for automatic categorization of applicants from resume (See Sobotka et al. Col. 5, lines 1-10) wherein professions or job categories are categorized (See Sobotka et al. Title, Abstract, Figures 3-5 and corresponding text).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the workforce planning and management system of Parrish et al. wherein the occupation database provided thereof (See Parrish et al. Figure 1, component 10) would have incorporated the methodology, taught by Sobotka et al., for categorizing applicants resume (See Sobotka et al. Col. 3, lines 38-59). The motivation being, to provide a computer system and method for computer-based data integration, management process and a method for workforce planning capable of searching and

automatically select a job category or categories within which an applicant should be placed using the applicant's resume.

As per claims 26, and 30-31 most of the limitations of this claim have been noted in the rejection of claims 24-25. Applicant's attention is directed to the rejection of claims 24-25 above. In addition, Parrish et al. provide mechanisms for allowing the combination of Parrish et al. and Sobotka et al. to achieve "prompting said user to select a profession from a plurality of professions; prompting said user to select a subcategory from a plurality of subcategories for said profession; and prompting said user to specify a time requirement for said subcategory" by providing a second component for a Relational database Management System and its application to handle the population of the databases, conduct queries and matches as well as special data entry screen for prompting the user to make selections (See Parrish et al. Col. 3, lines 33-63).

As per claim 27, most of the limitations of this claim have been noted in the rejection of claims 24-25. Applicant's attention is directed to the rejection of claims 24-25 above. In addition, both Parish et al. and Sobotka et al. provides a database including a database management system, which primarily incorporates a query language. Therefore, modifying a query would be part of a query refinement which is inherent in both systems of Parrish et al. and Sobotka et al.

As per claim 28, most of the limitations of this claim have been noted in the rejection of claim 24-25. Applicant's attention is directed to the rejection of claim 24-25 above. In addition, Parrish et al. provides scheduling an interview with a candidate through client managers that interview an input participant (See Parrish et al. Col. 4, lines 33-45).

As per claim 29, most of the limitations of this claim have been noted in the rejection of claim 28. Applicant's attention is directed to the rejection of claim 28 above. In addition, Parrish et al. provides a network configuration to provide availability via a telecommunication link from a candidate (See Parrish et al. Col. 4, lines 20-24).

As per claim 32, most of the limitations of this claim have been noted in the rejection of claim 30. Applicant's attention is directed to the rejection of claim 30 above. In addition, Parrish et al. provides entering educational information and job preferences through occupational database 10 and skills database 10 of Figure 1.

As per claim 34, most of the limitations of this claim have been noted in the rejection of claim 24-25. Applicant's attention is directed to the rejection of claims 24-25 above. In addition, Parrish et al. provides graphical user interfaces for displaying or outputting results (See Parrish et al. Figure 1, component 28; Col. 4, lines 4-24; See Sobotka et al. Col. 4, lines 50-55).



As per claim 36, most of the limitations of this claim have been noted in the rejection of claims 24-25. Applicant's attention is directed to the rejection of claims 24-25 above. In addition, Parrish et al. provides a network configuration to permit a user to interact with the database via a telecommunication link (See Parrish et al. Col. 4, lines 20-24).

As per claim 37, most of the limitations of this claim have been noted in the rejection of claims 24-25. Applicant's attention is directed to the rejection of claims 24-25 above. In addition, Parrish et al. provides a relational database by providing a second component for a Relational database Management System and its application to handle the population of the databases, conduct queries and matches as well as special data entry screen for prompting the user to make selections (See Parrish et al. Col. 3, lines 33-63).

As to claims 33 and 39, **Official Notice** is taken by the Examiner as to the aspect of charging for a resume service or requiring a user to pay for use of a database because a payment method is commonly used in business system. Since Parrish et al. provides a job placement system in a computer networking environment, it would therefore, have been obvious to one of ordinary skill in the art at the time of the invention to charge for job placement service and requiring a user to pay for use of their databases.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz Coby whose telephone number is 571 272 4017. The examiner can normally be reached on Monday-Friday 9:00AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571 272 4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

August 30, 2006

  
**FRANTZ COBY**  
PRIMARY EXAMINER